IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. NO.18917 of 2006

DATE OF DECISION: 30.11.2006.

Balwinder Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Mr.Akshay Bhan, Advocate for the petitioner

Mr.R.S.Kundu, Addl.A.G., Haryana

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ORDER

The petitioner has prayed for quashing of the orders-Annexures P/1, P/2 and P/3 passed by the Canal authorities by which the application filed by respondent No.4 for shifing the head of Outlet from RD 43100-L STI disty to RD 44020-L STI disty was allowed.

Counsel for the petitioner has contended that in the event of proposed transfer of the earlier outlet to RD 44020-L STI disty, the land of the petitioner would be bifurcated in two halves and irreparable loss would be caused to the petitioner. Counsel for the petitioner contends that the Divisional Canal Officer has wrongly held that it is the petitioner who is obstructing the water flow to the existing water course,

which is not substantiated by any material on record and that it is also wrongly held that the irrigation of the last two crops is nil. Be that as it may, the fact remains that presently, no irrigation is being done through the Outlet at RD 43100-L STI disty, therefore, it is for the betterment of irrigation that head of Outlet is shifted from RD 43100-L STI disty to RD 44020-L STI disty.

We find no infirmity in the orders passed by the Canal authorities and accordingly, the writ petition is dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

November 30, 2006
pc

(NIRMAL YADAV)
JUDGE